

Jamaica: Hurricane Dean Emergency Recovery Loan Environmental Management Framework

Introduction

The Jamaica Social Investment Fund (JSIF) has been financing and implementing a variety of small-scale community level projects in rural, peri-urban and urban areas with a scope that is identical to this emergency recovery project. These projects have generally positive environmental impacts, albeit some could result in minor adverse environmental impacts that would, however, be mostly local and reversible.

For the purposes of implementing the Inner Cities Basic Services Project (ICBSP), approved in March 2006, and for all its future operations such as this project, JSIF had developed an Environmental Management Framework (EMF) to manage any potential adverse environmental impacts in a more structured and systematic manner. Preparation and adoption of an EMF was also one of the gap-filling actions required to meet the requirements of using JSIF's procedures under the Bank's Use of Country Systems pilot. The EMF ensures that JSIF meets Jamaican environmental laws and regulations, and also satisfies the relevant policies of its major funding agencies like the Caribbean Development Bank, the European Union, the Inter-American Development Bank, the World Bank and other development partners.

One of the guiding operational principles of JSIF is that projects funded by JSIF must conform to the Government of Jamaica's environmental regulations and may only have minimum impacts on the natural and cultural environment. Therefore, the EMF is an integral part of JSIF's Operations Manual (OM) and is applicable to all investments financed by JSIF, regardless of its funding source or implementing agency, and including this project. The main objectives of the EMF are to:

- establish procedures for screening all proposed projects for their potential adverse environmental impacts and land requirements/acquisition;
- specify measures for managing, mitigating and monitoring environmental impacts during project implementation and operation; and
- outline the ongoing training and capacity-building arrangements needed to successfully implement the provisions of the EMF.

JSIF has also developed a Land Acquisition and Resettlement Policy Framework (LARPF) to deal with any land acquisition or involuntary resettlement that may be required for a subproject; the LARPF also form part of JSIF's OM. An overview of the LARPF is provided at the end of this annex. Since the ERL is intended only to finance repairs and restoration of existing facilities and infrastructure, no land acquisition is anticipated, and moreover, the ERL will not finance any subprojects that would require land acquisition or involuntary resettlement.

Projects Financed by JSIF

JSIF finances only small-scale projects which aim to improve the livelihood of small rural and urban communities, provide access to basic services, and support income generating activities through micro credit funding etc. These projects can be classified into three broad groups: (a) Infrastructure; (b) Social Services; and (c) Capacity Building. However, some of the

infrastructure projects funded by JSIF are likely to have localized minor adverse impacts, mainly during construction, and therefore provisions of this EMF will be applicable to them.

Because of their size/magnitude and significant potential environmental and social impacts, some types of projects are ineligible for JSIF financing, and the EMF provides a “negative list” of such projects. None of the repair / reconstruction projects financed under this ERP will fall into this category.

Screening Procedures

Jamaican national environmental regulatory requirements are prescribed by the environmental Permit & License System which is administered by the National Environment and Planning Agency (NEPA). It is a mechanism to ensure that all Jamaican facilities and development projects meet the relevant standards and procedures to minimize adverse environmental impacts during construction and operation of a facility. The specific national regulatory requirements are (i) an environmental permit to construct and/or (ii) a license to discharge. NEPA has confirmed that some of the JSIF projects would require an environmental permit. NEPA will either grant an environmental permit, sometimes with terms & conditions, or may require the preparation of a full Environmental Impact Assessment (EIA) prior to granting the environmental permit. Projects and facilities that discharge a substance to the atmosphere, to the ground or into surface waters may require a license to discharge. This license is also issued by NEPA after review of an application which is submitted together with the application for an environmental permit to construct. Among the projects eligible for JSIF financing, only small (package) sewage treatment facilities would fall into the category requiring a license to discharge.

The Safeguards Diagnostic Review report has found that the main difference between Jamaican national environmental requirements for the types of infrastructure projects financed by JSIF and those of the World Bank and other international development partners is the preparation and use of an EMP. An EMP sets out project specific mitigation measures and corresponding monitoring requirements. The use of generic EMPs for small-scale infrastructure projects with minor adverse environmental impacts has become internationally accepted good practice.

The EMF provides a matrix to assist with screening JSIF projects and determine, depending on category and type of project, whether a permit application to NEPA, or an EMP, including mitigation actions, is required. The detailed screening process by JSIF is set out in the EMF, and a checklist is provided to guide the technical and environmental officers¹. The screening and implementation of mitigation measures are fully integrated with the JSIF project cycle.

Implementation Arrangements

The EMF describes in detail the steps for implementing the NEPA requirements. In addition to a permit, terms & conditions, or a full EIA, NEPA may also require special monitoring and reporting actions, and normally will carry out periodic monitoring of the implementation of the project to make sure that its requirements are being met.

¹ Some site-specific issues may present serious environmental risks and / or impacts. Therefore, the EMF prescribes a site screening mechanism to identify sites that are potentially unsuitable due to site-specific environmental conditions. In addition, the land on which a project is to be located must comply with the zoning requirements of NEPA and relevant local planning legislation.

To assist JSIF officers with implementing EMP requirements, standard generic EMPs have been prepared for each the main project types and categories, based on the expected likely environmental impacts during the construction phase²; these generic EMPs are appended to the EMF. The EMF also prescribes how the applicable EMP(s) are to be incorporated into the bidding and contract documents to enforce compliance by the contractor. An annex to the EMF contains additional guidance for detailed steps and actions in good environmental management, specifically for the design and operational (O&M) phase.

The EMF also provides procedures and sets out the required actions to comply with the requirements of the Jamaica National Heritage Trust Act to protect any chance finds of cultural property.³ However, there is no likelihood that any such finds will be made on this project since it does not involve any new excavations for construction but only reconstruction at the same site, and not in any areas where chance finds could be expected.

The implementation of projects, including all environmental aspects, is under the overall responsibility of JSIF. JSIF will employ construction contractor, or projects may be implemented by agreement with and through partner agencies, such as the local Parish Councils for road projects.

The provisions of the EMF will apply regardless of the implementing agency, and JSIF will retain ultimate responsibility for the good environmental management of all their projects.

Consultation and Disclosure

It is JSIF's mission to empower communities to effectively implement community-based programs aimed at social development. JSIF's OM prescribes a project preparation and implementation process that involves participation of the project community at all keys steps. This participatory process facilitates the consideration of environmental aspects as it integrates into the project cycle disclosure of project information to, and consultation with, the community concerned.

The EMF prescribes the key environment-related consultation and disclosure actions during project preparation and implementation and stresses the importance of JSIF, its partner agencies, and especially the communities, to follow and participate in the process.

Monitoring, Reporting and Capacity-Building

The EMF sets out the requirements and responsibilities for monitoring and reporting; this is facilitated by JSIF's new MIS. Copies of the quarterly and annual EM monitoring reports will also be sent to NEPA and to the World Bank for review during the periodic supervision missions.

Lastly, the EMF also has provisions for capacity-building within JSIF, especially for the key officers, i.e. the Environment and Resettlement Officer (ERO) and their alternates. They in turn, are to provide training to JSIF project officers and community liaison officers.

² Some projects may have additional requirements for mitigation and monitoring in response to issues identified during site screening, which shall also be specified in the contract documents.

³ This provision also satisfies the requirements of the policies on cultural property by the international development partners, such as the World Bank's, as set out in the draft OP 4.11 on Physical Cultural Property.